



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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KANSAS CITY, MO 64106

REGION VII
KANSAS
MISSOURI
NEBRASKA
OKLAHOMA
SOUTH DAKOTA

January 21, 2016

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Re: Docket # 07151173

Dear XXXXXXXX:

On May 12, 2015, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint against the Springfield R-XII School District (District), Springfield, Missouri, alleging discrimination on the basis of disability. This letter is to confirm the District has voluntarily submitted a Resolution Agreement (Agreement) to resolve this complaint.

Specifically, the Complainant alleged the District denied her daughter, a student with a disability (autism spectrum disorder), a free appropriate public education during the 2014-15 school year, by failing to implement the following provisions of her Section 504 plan:

- a. Provide classroom support to student;
- b. Provide student with one direction at a time;
- c. Allow student to respond verbally to assignments, as needed;
- d. Allow the student to take untimed multiplication tests;
- e. Provide written direction to the student in addition to verbal direction;
- f. Student planner will be initialed by teacher on a daily basis; and
- g. Have verbal conversation with student in lieu of completing think sheet to help student refocus.

OCR is responsible for enforcing:

- Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 United States Code (U.S.C.) § 794, and its implementing regulation, 34 Code of Federal Regulations (C.F.R.) Part 104. Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance.
- Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, and its implementing regulation, 28 C.F.R. Part 35. Title II prohibits discrimination on the basis of disability by public entities.

As a recipient of Federal financial assistance from the Department and a public entity, the District is subject to Section 504 and Title II. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

OCR notified you and the District of the allegations in this investigation on July 16, 2015. In response to OCR's request for data, the District submitted documentation on August 13, 2015. On October 29, 2015, OCR interviewed the principal, Section 504 coordinator, homeroom teacher, school counselor, special education teacher and the ELA teacher. OCR interviewed you on June 19, 2015 and October 20, 2015. On January 4, 2016, the District requested to resolve the allegations in the investigation. Prior to the completion of OCR's investigation, the District submitted a signed Agreement (copy enclosed) on January 4, 2016, that, when fully implemented, will address the allegation in this complaint. Please consult the Agreement for further details.

OCR considers the allegations of this complaint resolved effective the date of this letter and will monitor the District's implementation of the Agreement. When OCR concludes the District has fully implemented the terms of the Agreement, OCR will close the complaint. If the District fails to carry out the Agreement, OCR may resume the investigation.

This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. The Complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the District may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the Complainant may file another complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

OCR is committed to prompt and effective service. If you have any questions, please contact Gaye V. Martin, at (816) 268-0568 (voice) or (877) 521-2172 (telecommunications device for the deaf), or by email at Gaye.Martin@ed.gov.

Sincerely,

Maria L. North
Supervisory Attorney

Enclosure

Cc: XXXXXXXXXXXXXXXXXXXXXXX
Commissioner of Education